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Practitioner's Docket No. 2577/104

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Poliakoff et al.

Application No.: 09/914,699

Group No.: n/a

Filed: 08/31/2001

Examiner: Not Assigned

For: Acid-Catalysed Reactions

Commissioner for Patents

Washington, D.C. 20231

PETITION TO WITHDRAW HOLDING OF ABANDONMENT -  
NOTICE TO FILE MISSING PARTS NOT RECEIVED



1. I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Notice to File Missing Parts was not received.

CERTIFICATION UNDER 37 C.F.R. sections 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ Deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. section 1.8(a)

37 C.F.R. section 1.10\*

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"

Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: August 8, 2002

Signature

Timothy M. Murphy

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).

"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

08/15/2002 AWONDAF1 00000100 09914699

01 FD:122

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2. I hereby state:

(a) The Notice to File Missing Parts indicated, as mailed on October 18, 2001, was not received.

(b) A search of the file jacket and the docket records in my office indicates that this Notice to File Missing Parts was not received.

3. It is the practice of my office to photocopy the first page of all correspondence from the Patent and Trademark Office (PTO) relating to patent matters before the correspondence is given to the paralegals for docketing; these photocopies of the first pages are then distributed to all the patent attorneys in the firm, including me, so that we may be immediately aware of actions taken by the PTO. I do not recall seeing any photocopy of this Notice. Similarly, the paralegals in charge of docketing do not recall seeing this Notice, and thus it was not docketed.

4. I attach a copy of the docket record where the non-received Notice to File Missing Parts would have been entered had it been received and docketed. Although you will note the notation of "Missing Parts to cl?" on page 2 of the Prosecution History, this entry is computer generated from the application filing date in order to ensure that a Combined Declaration and Power of Attorney is forwarded to the client for execution in anticipation of receipt of the Notice to File Missing Parts. This notation does not indicate that the Notice was received.

5. In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn.

6. The petition fee is paid as follows:

Enclosed please find a check for \$130.00.

Please charge Account No. 19-4972 for any fee deficiency or credit this account for any overpayment for this petition.

Date: August 8, 2002



Timothy M. Murphy  
Registration No. 33,198  
Bromberg & Sunstein LLP  
125 Summer Street  
Boston, MA 02110-1618  
US  
617-443-9292  
Customer No. 002101

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/914,699		Martyn Poliakoff	2577/104

Yang Xu  
Bromberg & Sunstein  
125 Summer Street  
Boston, MA 02110-1618

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BROMBERG &amp; SUNSTEIN

CONFIRMATION NO. 1008

ABANDONMENT/TERMINATION  
LETTER

\*OC000000008524558\*

Date Mailed: 07/26/2002

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/18/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/16/2002 RWDNDAF1 00000100 0551-655

02 FC:105

130.00 35

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Tuesday, August 06, 2002

## Prosecution History

Page: 4

Client Matter#	Sub Case	Country	Attorney	Date Due	Reason for Date/ Indicator	Action Type	Application Number	Filing Date	Status
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2577.104		US	BJC	26-Dec-2002	Rec'd POA/AZ FROM CLIENT	PCT-US NAT'L PHASE APP FILED	09/914,699	24-Feb-2000	Pending
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	KLW			Due Date					
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Remarks: US national phase of PCT/GB00/00673;  
Date Taken: 26-Dec-2002 Filed with EO/US on 8/31/01

Confirmation  
Number:



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Practitioner's Docket No. 2577/104

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Poliakoff et al.

Application No.: 09/914,699

Filed: August 31, 2001

For: Acid-Catalysed Reactions

Group No.: n/a

Examiner: Not Assigned

**Box Missing Part**  
**Commissioner for Patents**  
**Washington, D.C. 20231**

**COMPLETION OF FILING REQUIREMENTS**  
**-- NONPROVISIONAL APPLICATION**

**I.** This replies to the Notice of Abandonment issued for non-reply to a Notice to File Missing Parts of Application, which was not received by this office.

**DECLARATION OR OATH**

**II.** The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

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**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date: August 8, 2002

**FACSIMILE**

☐ transmitted by facsimile to the Patent and Trademark Office at (703) \_\_\_\_ - \_\_\_\_.



Signature

Timothy M. Murphy

(type or print name of person certifying)

(Completion of Filing Requirements--Nonprovisional Application--page 1 of 3)

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**AUG 19 2002**

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### COMPLETION FEES

#### III.

##### 1. Surcharge Fees

Late payment of filing fee  
and/or late filing of original  
declaration or oath  
(37 C.F.R. Section 1.16(e))

\$130.00

##### 2. Assignment (See "ASSIGNMENT COVER SHEET")

\$40.00

Total Completion Fees \$170.00

### EXTENSION OF TIME

IV. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### TOTAL FEE DUE

V. The total fee due is:

Completion fees	\$170.00
Extension fee (if any)	\$0.00
Total Fee Due	\$170.00

### PAYMENT OF FEES

VI. Enclosed is a check in the amount of 170.00.

Please charge Account No. 19-4972 for any fees that may be due by this paper.

### AUTHORIZATION TO CHARGE ADDITIONAL FEES

(Completion of Filing Requirements--Nonprovisional Application--page 2 of 3)

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**VII.** The Commfissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 19-4972.

Date: August 8, 2002



Timothy M. Murphy  
Registration No. 33,198  
Bromberg & Sunstein LLP  
125 Summer Street  
Boston, MA 02110-1618  
US  
617-443-9292  
Customer No. 002101

RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Tab settings == ==

AUG 14 2002

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Martyn Poliakoff  
William Keith Gray  
Thomas M. Swan

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ORIGINALLY FILED**

Additional name(s) of conveying party(ies) attached? ☒ Yes ☐ No

2. Name and address of receiving party(ies):

Name: Thomas Swan & Co., Ltd.

Internal Address: \_\_\_\_\_

Street Address: Crookhall, Consett

County Durham DH8 7ND, United Kingdom

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other \_\_\_\_\_

Execution Date: December 6, 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

PCT/GB00/00673

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Timothy M. Murphy

Internal Address: Bromberg & Sunstein LLP

Street Address: 125 Summer Street

City: Boston State: MA ZIP: 02110-1618

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) ..... \$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

19-4972

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Timothy M. Murphy  
Name of Person Signing

[Signature]  
Signature

August 8, 2002

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

08/16/2002 RWCNDAF1 00000100 09814559

03 F1:581

40.00 JP

(Form PTO-1595-Recordation Form Cover Sheet - page 1 of 3)

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FORM PTO-1595

(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

RECORDATION FORM COVER SHEET U.S.

# PATENTS ONLY

DEPARTMENT OF COMMERCE

Patent and Trademark Office

1. Name of conveying party(ies):

Stephen Keith Ross

Stefan Wieland

Stefan Roeder

Additional name(s) of conveying party(ies) attached?

Yes ☐

No ☒

2. Name and address of receiving party(ies):

Name: \_\_\_\_\_

Internal Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Name: \_\_\_\_\_

Internal Address: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Additional name(s) & address(es) attached?

Yes ☐

No ☒

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_

Additional numbers attached?

Yes ☐

No ☒

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AUG 19 2002

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## ASSIGNMENT

ASSIGNOR: Martyn Poliakoff  
William Keith Gray  
Thomas M. Swan  
Stephen Keith Ross  
Stefan Wieland  
Stefan Roeder

ASSIGNEE: Thomas Swan & Co., Ltd.  
Crookhall, Consett  
County Durham DH8 7ND  
United Kingdom

INVENTION: ACID-CATALYSED REACTION

ATTORNEY DOCKET: 2577/104

SERIAL NO: 09/720,295

U.S. FILING DATE: August 31, 2000

INT APPLICATION NO: PCT/GB00/00673

INT. FILING DATE: February 24, 2000

Assignor is the sole inventor (if only one inventor is listed above) or a joint inventor (if more than one inventor is listed above) of the above invention (the "Invention") described in a United States patent application (the "Application") bearing the above attorney docket number and having as a title the above name for the Invention. The Application has a Patent and Trademark Office filing date and serial number as indicated above, or if no filing date and serial number are shown, has a Declaration executed by Assignor contemporaneously with this Assignment.

For valuable consideration, receipt of which is acknowledged, each Assignor hereby assigns to Assignee (which term shall include Assignee's successors and assigns), all of

Assignor's right, title and interest in the Invention, all improvements therein, the Application and all priority rights arising therefrom, and any patents, and any reissues and extensions thereof, which issue in any country upon any patent applications which correspond with any of the following: the Application, any divisional, continuation-in-whole, or substitute United States application which is based on the Application; or any continuation-in-part United States application (including divisions, continuations-in-whole or -in-part, and substitutions thereof or therefor) based in-part on any of the above described applications.

Each Assignor further agrees that such Assignor and Assignor's heirs and legal representatives will, without further consideration, cooperate with Assignee in the prosecution of all of the above applications, execute, verify, acknowledge and deliver all such further papers, including applications for patents and for reissues and extensions therefor, and instruments of assignment and transfer thereof, and will communicate any facts known to Assignor relating to the Invention, to obtain or maintain or enforce patents for the Invention and improvements therein in any and all countries and to vest title thereto in Assignee. Each Assignor further agrees that such Assignor will, without further compensation to Assignor during the term of such Assignor's employment by Assignee and thereafter for reasonable compensation as determined by Assignee, perform such other acts as may be reasonably required when requested by Assignee, including attending depositions, preparing and executing declarations and affidavits and testifying as a witness, to obtain or maintain or enforce patents for the Invention and improvements therein in any and all countries and to vest title thereto in Assignee.

IN WITNESS WHEREOF, each Assignor hereby executes this instrument on the date set forth below.

Date: 27.11.01

Martyn Poliakoff  
Martyn Poliakoff, Assignor

Date: 26.11.01

William Keith Gray  
William Keith Gray, Assignor

Date: 26.11.01

Thomas M. Swan  
Thomas M. Swan, Assignor

Date: 26/11/01

Stephen K. Ross  
Stephen Keith Ross, Assignor

Date: 06/12/01

Stefan Wieland  
Stefan Wieland, Assignor

Date: 07/12/01

Stefan Roeder  
Stefan Roeder, Assignor